

HOUSE BILL 1756

By Freeman

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10 and Title 55, Chapter 50, relative to the offense of driving while license cancelled, suspended, or revoked.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-207(h), is amended by adding the following subdivision:

(3) Notwithstanding subdivision (h)(1), this section is applicable to a person who is subject to arrest for a violation of § 55-50-504(a)(1).

SECTION 2. Tennessee Code Annotated, Section 55-50-504(a), is amended by deleting the subsection and substituting instead the following:

(1)

(A) A person who drives a motor vehicle within the entire width between the boundary lines of every way publicly maintained that is open to the use of the public for purposes of vehicular travel, or the premises of a shopping center, manufactured housing complex, or apartment house complex, or any other premises frequented by the public at large at a time when the person's privilege to do so is cancelled, suspended, or revoked commits a Class B misdemeanor.

(B) A second or subsequent violation of subdivision (a)(1)(A) is a Class A misdemeanor.

(2)

(A) A violation of subdivision (a)(1)(A) at a time when a person's privilege to drive a motor vehicle is cancelled, suspended, or revoked because of a conviction for an offense listed in subdivision (a)(2)(C) commits a Class B

misdemeanor and shall be punished by confinement for not less than two (2) days nor more than six (6) months, and there may be imposed, in addition, a fine of not more than one thousand dollars (\$1,000).

(B) A violation of subdivision (a)(1)(A) at a time when a person's privilege to drive a motor vehicle is cancelled, suspended, or revoked because of a second or subsequent conviction for an offense listed in subdivision (a)(2)(C) commits a Class A misdemeanor and shall be punished by confinement for not less than forty-five (45) days nor more than one (1) year, and, in addition, may be subject to a fine of not more than three thousand dollars (\$3,000).

(C) This subdivision (a)(2) applies to a violation of subdivision (a)(1)(A) if the violation occurred when the person's driver license was cancelled, suspended, or revoked because of a conviction for:

- (i) Vehicular assault, under § 39-13-106;
- (ii) Aggravated vehicular assault, under § 39-13-115;
- (iii) Vehicular homicide, under § 39-13-213(a)(2);
- (iv) Aggravated vehicular homicide, under § 39-13-218; or
- (v) Driving under the influence, under § 55-10-401.

(3) Convictions occurring more than ten (10) years prior to the immediate violation shall not be considered for enhancement purposes under this subsection (a); provided, however, that the department shall abide by all federal rules and regulations relative to the issuance, suspension, and revocation of driver licenses and qualification of drivers.

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it, and applies to offenses committed on or after that date.